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August 16, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/828,456  
Applicants: Stuart B. Levy, et al  
Filed: April 6, 2001  
Title: *NOVEL BLR MOLECULES AFFECTING ANTIBIOTIC SUSCEPTIBILITY*  
Attorney Docket No.: PKZ-030

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application;
2. Request for One-Month Extension of Time;
3. Two Executed Declarations, Petitions and Powers of Attorney;
4. Copy of Notice to File Missing Parts of Nonprovisional Application; and
5. Checks for \$1,073.00 (missing parts) and \$55.00 (extension).

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

August 16, 2001

Date

  
Megan E. Williams (Reg. No. 43,270)

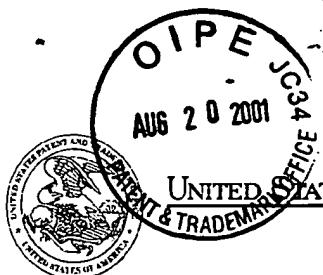
Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Megan E. Williams

Reg. No. 43,270

MEW/hfm  
Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/828,456	04/06/2001	Stuart B. Levy	PKZ-030

CONFIRMATION NO. 6918

000959  
 LAHIVE & COCKFIELD  
 28 STATE STREET  
 BOSTON, MA 02109

## FORMALITIES LETTER



\*OC000000006080426\*

Date Mailed: 05/16/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/22/2001 BABRAHA1 00000037 09828456

## FILED UNDER 37 CFR 1.53(b)

01 FC:201	355.00 OP
02 FC:203	198.00 OP
03 FC:202	320.00 OP
04 FC:204	135.00 OP
05 FC:205	65.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$653.
  - \$198 for 22 total claims over 20.
  - \$320 for 8 independent claims over 3 .
  - \$135 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1073.**

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



HF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: U.S. Patent Application Serial No. 09/828,456  
Applicants: Stuart B. Levy, et al  
Filed: April 6, 2001  
Title: *NOVEL BLR MOLECULES  
AFFECTING ANTIBIOTIC SUSCEPTIBILITY*  
Attorney Docket No.: PKZ-030

Group Art Unit: 1646

Examiner: Not Yet Assigned

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Commissioner for Patents  
Washington, D.C. 20231

**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

August 16, 2001  
\_\_\_\_\_  
Date of Signature and of Mail Deposit

By:

  
Megan E. Williams, Ph.D.  
Reg. No. 43,270

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

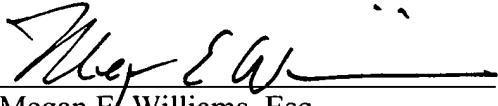
Responsive to the Notice to File Missing Parts of Non-Provisional Application dated May 16, 2001, Applicants' attorney submits herewith two (2) executed Declarations, Petitions and Powers of Attorney for the above-identified patent application. A check in the amount of \$1073.00 is enclosed to cover the total amount owed by Applicant, including \$65.00 surcharge, \$355.00 basic filing fee, \$198.00 additional claim fee, \$320.00 for independent claims over 3 and \$135.00 multiple

dependant claim surcharge, based on small entity status. A copy of the Formalities Letter is also enclosed.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Megan E. Williams  
Megan E. Williams, Esq.  
Registration No. 43,270  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: August 16, 2001